

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-21 are currently pending, and no claims have been amended herewith.

In the outstanding Office Action, Claims 1-3, 8-10, and 15-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over International Application No. WO 00/22816 to Peterka et al. (hereinafter "the '816 application"); Claims 4, 11, and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the '816 application in view of U.S. Patent No. 4,672,611 to Fukuhara et al. (hereinafter "the '611 patent"); and Claims 5-7, 12-14, and 19-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the '816 application and the '611 patent, further in view of International Application No. WO 98/47270 to Tuominen (hereinafter "the '270 application").

Applicants wish to thank the Examiner for the interview granted Applicants' representative on February 13, 2004, at which time Claim 1 was discussed. At the conclusion of the interview, the Examiner agreed that Claim 1 patentably defines over the '816 application. However, the Examiner also indicated that a further search of the prior art would be required.

Claim 1 is directed to an object-oriented method for collecting information regarding a plurality of target applications in an application unit, comprising: (1) notifying a monitoring device, by a first one of the plurality of target applications, through an interface, of an identification of the first one of the plurality of target applications; (2) requesting the monitoring device, by the first one of the plurality of target applications, through the interface, to start monitoring usage of the first one of the plurality of target applications; and (3) requesting the monitoring device, by the first one of the plurality of target applications,

through the interface, to send information regarding monitored usage of the first one of the plurality of target applications to a first predetermined destination.

The '816 application is directed to a software system for managing applications for a television set-top terminal. The '816 application discloses an Application Program Interface (API) for monitoring and controlling the various applications. However, Applicants respectfully submit that the '816 application fails to disclose the steps of (1) requesting the monitoring device, by the first one of the plurality of target applications, *to start monitoring usage of the first one of the plurality of target applications*; and (2) requesting the monitoring device, by the first one of the plurality of target applications, *to send information regarding monitored usage of the first one of the plurality of target applications to a first predetermined destination*, as recited in Claim 1. Rather, the '816 patent merely discloses that an API controls and manages the operation of various applications.¹

Accordingly, Applicants respectfully submit that a *prima facie* case of obviousness has not been established and that the rejection of Claim 1 (and dependent Claims 2 and 3) should be withdrawn.

Independent Claims 8 and 15 recite limitations analogous to the limitations recited in Claim 1. Accordingly, for the reasons stated above for the patentability of Claim 1, Applicants respectfully submit that a *prima facie* case of obviousness has not been established and that the rejection of Claim 8 (and dependent Claims 9 and 10) and Claim 15 (and dependent Claims 16 and 17) should be withdrawn.

Regarding the rejection of dependent Claims 4-7, 11-14, and 18-21 under 35 U.S.C. § 103(a), Applicants respectfully submit that the '611 patent and the '270 application fail to remedy the deficiencies of the '816 application, as discussed above. Accordingly, Applicants

¹ See, e.g., page 6 of the '816 application.

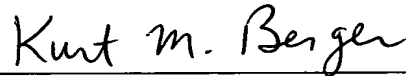
respectfully submit that a *prima facie* case of obviousness has not been established and that the rejection of dependent Claims 4-7, 11-14, and 18-21 should be withdrawn.

Thus, it is respectfully submitted that independent Claims 1, 8, and 15 (and all associated dependent claims) patentably define over any proper combination of the '816 application, '611 patent, and the '270 application.

Consequently, in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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